

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
CIVIL DOCKET ENTRIES FOR CASE A98-0398--CV (JWS)
"MORRIS DAVID WELCH V NORTH SLOPE BOROUGH ET A"

Including terminated parties, excluding terminated counsel

Presiding Judge: The Honorable John W. Sedwick, U.S. District Judge
Magistrate Judge:

Referral Rule:
Filed: 12/10/98
Closed: 06/10/05

Jurisdiction: (3) Federal Question (US Govt not a Party)
PLF Diversity:
DEF Diversity:

Nature of Suit: (442) Jobs

Origin: (1) Original Proceeding
Demand:

Filing fee: Paid \$150.00 on 12/10/98 receipt # 00106361
Trial by: Jury

Parties of Record:

Counsel of Record:

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Document #	Filed	Docket text
1 - 1	12/10/98	Complaint filed.
2 - 1	12/10/98	PLF 1 Demand for jury trial.
3 - 1	01/08/99	HRH Minute Order that by agreement of the judges this case is reassigned to Judge Sedwick for all further proceedings. Use case number A98-398CV (JWS) on all future filings. cc: cnsl, Judge Sedwick
4 - 1	01/15/99	Stipulation that case stayed until 30 days after ruling on mots to dismiss and for sj in N98-004 CV (JWS).
5 - 1	01/19/99	JWS Order that case stayed for 30 days after resolution of mots to dismiss and for sj in N98-004 CV. cc: cnsl
6 - 1	04/20/99	DEF 1 Attorney Appearance of D. House.
7 - 1	04/23/99	PLF 1 Attorney Appearance of co-cnsl W. Schendel.
8 - 1	05/19/99	JWS Minute Order that cnsl to confer & file joint status report as directed due 6/1/99. cc: cnsl
9 - 1	05/25/99	PLF 1; DEF 1 Motion for substitution of cnsl D. House [LANE] for D. Crosby.
9 - 2	05/26/99	JWS Order granting substitution of D. House for D. Crosby as cnsl for def. cc: cnsl, D. House
10 - 1	06/02/99	PLF 1; DEF 1 Status Report.
11 - 1	06/08/99	JWS Minute Order setting joint stat conf w/cases N98-004 CV and A98-0413 CV for 6/15/99 at 9 a.m. at Anchorage. cc: cnsl
12 - 1	06/15/99	JWS Court Minutes [ECR: Roy Van Hollebeke] re: joint stat conf held 6/15/99; D. House to draft prop stip as to liability iss; disc stips to be fld by 7/6/99 setting prop sched ddlns for disc. cc: cnsl
13 - 1	06/18/99	PLF 1; DEF 1 Stipulation for entry of order w/att exh.

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Document #	Filed	Docket text
14 - 1	06/23/99	JWS Order approving stip at dkt 13 and based on ord at dkt 29 in N98-004 CV (JWS) NSB Municipal Code Section 2.20.150(A)(27) is declared invalid and unenforceable. cc: cns1
15 - 1	07/08/99	PLF 1 Complaint (First Amended).
16 - 1	07/13/99	PLF 1; DEF 1 Stipulation of the parties re: disc ddlns: amend of pleadings 08/06/99; prelim wit lists 10/15/99; expert wit lists; 12/03/99; expert rpts 01/07/00; final wit lists 03/17/00; close of disc 05/05/00.
16 - 2	07/15/99	JWS Order approving stip. cc: cns1
17 - 1	07/22/99	DEF 1 appeal to 9CCA of (14-1) filed 06/23/99. cc:cns1, Judge, 9CCA
18 - 1	07/22/99	DEF 1 Transcript Designation/Order Form re: notice of appeal (17-1) none requested.
NOTE - 1	07/23/99	Transmittal: Forwarded notice of appeal 9CCA w/CAD, representation statement.
19 - 1	07/23/99	Cy 9CCA Certificate of Record. (17-1) cc: cns1, 9CCA [original]
20 - 1	07/27/99	JWS Minute Order that plf require ans or apply for entry of dft re: amended cmplt w/i 20 days. cc: cns1
21 - 1	07/30/99	DEF 1 Answer to First Amended Complaint.
22 - 1	08/02/99	Cy 9CCA Time Schedule Order. (17-1) cc:cns1, Judge Sedwick
23 - 1	09/07/99	DEF 2 Attorney Appearance of D. House [LANE].
24 - 1	09/15/99	JWS Minute Order that proof of svc on DEF 2 re: amended cmplt due w/i 20 days. cc: cns1
25 - 1	09/28/99	Copy of Order from 9CCA setting time to file answering brief & reply.
26 - 1	10/07/99	PLF 1 certificate of service of 1st amended complaint executed 10/05/99 via mail re: def 2.
27 - 1	10/15/99	PLF 1 Preliminary Witness List.
28 - 1	11/02/99	DEF 1-2 Prel Witness List.
29 - 1	11/22/99	PLF 1 Expert Witness List.
30 - 1	01/31/00	PLF 1; DEF 1-2 Stipulation to continue expert report due date.
30 - 2	02/08/00	JWS Order approving stip. cc: cns1
31 - 1	03/21/00	PLF 1; DEF 1-2 Stipulation to continue ddln for exchanging expert reports until 8/15/00.
32 - 1	03/27/00	JWS Order granting stip for ddln exchanging expert rpts until 8/15/00. cc: cns1

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33 - 1	05/09/00	PLF 1; DEF 1-2 Stipulation to continue the close of discovery until 8/15/00.
34 - 1	05/15/00	JWS Order approving stip at dkt 33:disc to close 08/15/00. cc: cns1
35 - 1	05/25/00	PLF 1; DEF 1-2 Stipulation for ext until 7/17/00 to file final wit lists.
35 - 2	05/26/00	JWS Order approving stip. cc: cns1
36 - 1	07/12/00	STRICKEN PER ORDER AT DKT 39: PLF 1 motion for order for discovery w/att memo & exh.
37 - 1	07/13/00	JWS Minute Order that Rule 37 certification not included w/mot for ord of disc at dkt 36; certification due w/i 14 days. cc: cns1
38 - 1	07/17/00	DEF 1-2 opposition to PLF 1 motion for order for discovery (36-1) w/att exhs (exh B filed in camera; forwarded to chambers for review).
39 - 1	08/04/00	JWS Minute Order striking motion for order for discovery (36-1) due to non-compliance w/LR 37.1(a)(2) [A] and failure to respond to crt ord at dkt 37. cc: cns1
40 - 1	08/17/00	JWS Minute Order that parties file joint rpt w/i 20 days re: staying case, ddlns for disc, disp mots and mots in limine and other issues of concern. cc: cns1
41 - 1	09/06/00	DEF 1-2 Joint Status Report.
42 - 1	09/11/00	JWS Minute Order suspending pretrial ddlns; parties are to file prop pretrial sched 60 days after Ak Supreme Crt rules on 9CCA referral in N98-04 CV. cc: cns1
43 - 1	04/04/01	Copy of Order from 9CCA in view of certification to Ak State Supreme Crt, the submission of this case is VACATED; parties to submit briefs w/i 21 days of the filing of the Ak State Supreme Crt decision. (17-1) cc:cns1, Judge Sedwick
44 - 1	06/11/02	JWS Minute Order that parties file joint stat rpt re: certification by 6/25/02. cc: cns1
45 - 1	06/14/02	DEF 1-2 Ntc re: change of cns1 from Dale House (LANE) to W. Earnhart (LANE).
46 - 1	06/14/02	DEF 1-2 Joint Status Report re: appeal status.
47 - 1	01/16/03	JWS Minute Order that parties to file updated stat rpt w/i 15 days. cc: cns1
48 - 1	01/27/03	PLF 1 Status Report.
49 - 1	01/30/03	JWS Minute Order that updated stat rpt due 4/28/03. cc: cns1
50 - 1	03/13/03	PLF 1 Address Change Notice.
51 - 1	03/27/03	DEF 1-2 Address Change Notice.

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52 - 1	05/12/03	JWS Minute Order that stat rpt not fld; now due 5/27/03. cc: cns1
53 - 1	05/13/03	DEF 1-2 Joint Status Report re: appeals action.
54 - 1	05/19/03	PLF 1 Report re: stat.
55 - 1	05/30/03	JWS Minute Order that parties file joint stat rpt by 6/30/03 re: concluding case. cc: cns1
56 - 1	06/02/03	PLF 1 Advice of counsel.
57 - 1	06/30/03	DEF 1-2 Joint Status Report.
58 - 1	08/05/03	9CCA Judgment/Final Order re: notice of appeal (17-1) that the district court's decision is AFFIRMED. cc: cns1, Judge Sedwick
59 - 1	08/25/03	JWS Minute Order that parties shall file joint stat rpt by 10/3/03 w/prop schedule for pre-trial activities. cc: cns1
60 - 1	10/03/03	DEF 1-2 Report re: status.
61 - 1	10/29/03	Cert Copy of Order from 9CCA granting PLF 1 mot to remand issue of entitlement to attorney's fees to USDC; issue remanded to USDC for consideration. (17-1) cc:cns1, Judge Sedwick
62 - 1	11/03/03	JWS Minute Order that plf shall file appl for atty's fee by 11/14/03; oppo due 11/26/03; reply due 12/4/03. cc: cns1
63 - 1	11/03/03	JWS Minute Order adopting stat rpt at dkt 60 and setting the following ddlns: disc to close 11/30/04; disp mots ddln 12/30/04. cc: cns1
64 - 1	11/10/03	PLF 1 motion for order to bifurcate trial and/or otherwise establish procedure for compensation of taxes awarded on attorney fees w/att memo.
65 - 1	11/12/03	DEF 1-2 qualified non-opposition to PLF 1 motion for order to bifurcate trial and/or otherwise establish procedure for compensation of taxes awarded on attorney fees (64-1).
66 - 1	11/13/03	PLF 1 motion for an award of attorney fees.
67 - 1	11/24/03	Cert cy of Order from 9CCA granting appellee's mot that issue of entitlement to attys fees be remanded to USDC; issue remanded. (17-1) cc:cns1, Judge Sedwick
68 - 1	11/26/03	DEF 1-2 Report re: understanding of ord at dkt 103 in N98-004 CV.
69 - 1	12/01/03	DEF 1-2 Amended certificate of service re: report filed at dkt #68.
70 - 1	12/05/03	JWS Minute Order terminating in light of this order: mot for ord to bifurcate trial and/or otherwise establish procedure for (64-1), mot for an award of atty fees (66-1); any fees and costs associated w/appeal will be addressed at conclusion of case. cc: cns1
71 - 1	12/22/03	PLF 1 motion for order for permission to file papers in Fairbanks.
72 - 1	12/29/03	JWS Minute Order denying motion for order for permission to file papers in Fairbanks (71-1). cc: cns1

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73 - 1	08/19/04	PLF 1 motion for partial summary judgment w/att memo & exhs.
74 - 1	08/19/04	PLF 1 Notice of filing unsigned aff of M. Welch re: PLF 1 mot for part sj (73-1).
75 - 1	09/01/04	PLF 1 Notice of filing signed Aff of M. Welch re: PLF 1 mot for part sj (73-1) w/att aff.
76 - 1	09/07/04	DEF 1-2 opposition to PLF 1 motion for partial summary judgment (73-1) w/att exhs.
76 - 2	09/07/04	DEF 1-2 motion (cross) for partial summary judgment regarding liability w/att exhs.
77 - 1	09/23/04	PLF 1 Unopposed motion setting deadline for filing of reply in plaintiff's motion for summary judgment and opposition to defendants' cross motion for summary judgment.
78 - 1	09/24/04	JWS Order granting Unopposed motion setting deadline for filing of reply in plaintiff's mot for sj and oppo to defs cross mot for sj (77-1). cc: cns1
79 - 1	09/30/04	PLF 1 Unopposed motion for extension of time until 10/4/04 to file reply and oppo to defs cross motion for sj.
79 - 2	10/01/04	Order granting motion Unopposed motion for extension of time until 10/4/04 to file reply and oppo to cross mot for sj (79-1). cc: cns1
80 - 1	10/04/04	PLF 1 reply to opposition to PLF 1 motion for partial summary judgment (73-1) w/att exhs.
80 - 2	10/04/04	PLF 1 opposition to DEF 1-2 motion (cross) for partial summary judgment regarding liability (76-2) w/att exhs.
81 - 1	10/07/04	DEF 1-2 Unopposed motion for extension of time until 10/14/04 to file defendants' reply to plaintiff's opposition to defendants' cross-motion for summary judgment.
81 - 2	10/08/04	Order granting unoppo mot for ext of time until 10/14/04 to file defs rel to plf's oppo to defs' cross-mot for sj (81-1). cc: cns1
82 - 1	10/14/04	DEF 1-2 reply to opposition to DEF 1-2 motion (cross) for partial summary judgment regarding liability (76-2).
83 - 1	10/18/04	PLF 1 Expert Witness List.
84 - 1	10/21/04	DEF 1-2 Expert Witness List.
85 - 1	11/22/04	JWS Order denying mot for part sj(73-1), mot (cross) for part sj regarding liability (76-2). cc: cns1
86 - 1	11/22/04	PLF 1 Suppl Disclosure.
87 - 1	11/24/04	PLF 1 Calculation of damages.
88 - 1	11/29/04	PLF 1 Supplemental Disclosure w/att exh.

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89 - 1	12/17/04	DEF 1-2 Erratum notice to the crt re: trial date setting.
90 - 1	12/20/04	PLF 1 Notice to court re: trial date setting.
91 - 1	12/23/04	JWS Order re: settl conf before MJ Branson; sealed settl conf memos due 1/14/05 to MJ Branson's chambers. cc: cnsl, MJ Branson
92 - 1	12/30/04	DEF 2 motion for summary judgment w/att exhs.
93 - 1	01/24/05	PLF 1 motion to extend time until 2/3/05 for filing opposition to defendants' motion for sj.
94 - 1	01/24/05	DEF 1-2 non-opposition to PLF 1 motion to extend time until 2/3/05 for filing opposition to defendants' motion for sj (93-1).
95 - 1	01/26/05	AHB Order re: settl conf; settl conf set 9:30 a.m., 2/25/05. cc: cnsl, Judge Sedwick
96 - 1	01/26/05	JWS Order granting motion to extend time until 2/3/05 for filing opposition to defendants' motio (93-1). cc: cnsl
97 - 1	02/07/05	PLF 1 opposition to DEF 2 motion for summary judgment (92-1) w/att exhs. (original motion in folder behind file)
97 - 2	02/07/05	PLF 1 motion (cross) for summary judgment against defendant Nageak w/att exhs. (original in folder behind file).
98 - 1	02/09/05	DEF 1-2 Unopposed motion for extension of time until 2/22/05 to file reply to plaintiff's opposition to defendant's motion for summary judgment & to file opposition to plaintiff's cross-motion for summary judgment.
98 - 2	02/09/05	Order granting unoppo mot for ext of time until 2/22/05 to file reply to plf's oppo to def's mot for sj & to file oppo to plf's cross-mot for sj (98-1). cc: cnsl
99 - 1	02/18/05	JWS Order for pre-trial proceedings and final pre-trial conference setting the following dates: Final pretrial conference 05/31/05 9:00 a.m.; Exhibits due 04/08/05; Estimate of trial 5 days; Trial date 05/31/05 9:30 a.m.; trial briefs due 5/17/05. cc: cnsl, Jury clerk
100 - 1	02/22/05	DEF 2 reply to opposition to DEF 2 motion for summary judgment (92-1).
100 - 2	02/22/05	DEF 2 opposition to PLF 1 motion (cross) for summary judgment against defendant Nageak (97-2).
101 - 1	02/28/05	AHB Court Minutes [ECR: Caroline Edmiston] settl conf held 2/25/05. No settl agreement was reached. cc: cnsl, Judge Sedwick
102 - 1	03/15/05	DEF 1-2 Supplemental Witness List.
103 - 1	04/05/05	JWS Order denying mot (cross) for sj against def Nageak (97-2); granting mot for sj (92-1). cc: cnsl
104 - 1	04/05/05	DEF 1-2 Notice to court re: settlement.

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105 - 1	04/06/05	JWS Minute Order vacating 5/31/05 FPTC & TBJ; settl docs or stat rpt due w/i 30 days. cc: cns1, JC
106 - 1	06/07/05	PLF 1; DEF 1-2 Stipulation for an order for payment of attorney fees.
107 - 1	06/10/05	JWS Order granting stipulation for an order for payment of attorney fees (106-1); pymt of \$60,544.60 to be made payable to the trust acct of Law Office of K. Covell as settlmt of all costs & fees. cc: cns1